



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hegenauer et al.

Application No. 10/722,368

Filed: November 24, 2003

Confirmation No. 4632

For: COMPOSITIONS, METHODS, AND KITS
FOR WEIGHT LOSS AND INHIBITING
THE LOSS OF LEAN BODY MASS

Examiner: Not yet assigned

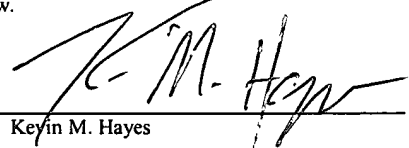
Art Unit: 1615

Attorney Reference No. 3790-66390-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)


Kevin M. Hayes

Date Mailed February 7, 2005

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(3)**

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Listed on the accompanying form PTO-1449 and enclosed herewith is an English-language document. Applicants respectfully request that this document be listed as a reference cited on the issued patent.

The document is a copy of the label of the "packaged drink mix" product used in the Hagan article cited on page 2 of the 1449 form submitted with Applicants' Information Disclosure Statement (IDS) mailed November 30, 2004.

Applicants filed this IDS before the mailing date of a first Office action on the merits. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this IDS, please charge any such fees, or credit

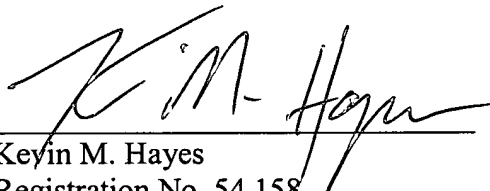
overpayment, to Deposit Account No. 02-4550. A **duplicate** copy of this Information Disclosure Statement is enclosed.

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Kevin M. Hayes
Registration No. 54,158

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Client
Docketing

Attorney Docket Number	3790-66390-01
Application Number	10/722,368
Filing Date	November 24, 2003
First Named Inventor	Hegenauer
Art Unit	1615
Examiner Name	Not yet assigned

EXAMINER SIGNATURE:	DATE CONSIDERED:
------------------------	---------------------

Information Disclosure Statement (1449) Page 1 of 1